

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Acquisition of assets disproportionate to the known sources of legal income by Sri K. Nageswara Rao, formerly Joint Commissioner (CT) (now Retired) – Accused Officer placed on his defence before Tribunal for Disciplinary Proceedings – Accused Officer found guilty by the Tribunal for Disciplinary Proceedings – Punishment of withholding of pension and gratuity in full permanently – Imposed – Individual filed O.A. in the A.P. Administrative Tribunal – Andhra Pradesh Administrative Tribunal Orders Issued – Punishment modified – Orders – Issued.

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REVENUE (VIG.I.1) DEPARTMENT

G.O. (Rt.) No. 397.

DATED:15 .03.2010.

Read the following:-

- 1) Memo No.54346/Vig.I(1)/2002-1, dt.23.10.2002.
- 2) The Secretary, TDP, Hyderabad Lr. D.No.S/30/2004, dt.19.10.2004.
- 3) G.O. (Rt.) No.1643, Revenue (Vig.I) Deptt., dt.27.07.2006.
- 4) Hon'ble APAT Orders, dt.24.04.2009 in O.A. No.6514/2009.
- 5) Memo No.54346/Vig.I(1)/2002-28, dt.17.08.2009.
- 6) Sri K. Nageswara Rao, Joint Commissioner (CT) (Retd.), dt.Nil.

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ORDER:

In the reference first read above, Sri K. Nageswara Rao, formerly Joint Commissioner (CT) (now Retd.), was placed on his defence before Tribunal for Disciplinary Proceedings, as he has in possession of assets disproportionate to the known sources of legal income to a tune of Rs.5,76,390/-.

2) And whereas in the reference second read above, the Tribunal for Disciplinary Proceedings, after conducting a detailed inquiry, held that the Charged Officer is guilty of the misconduct charged against him.

3) And whereas in the reference third read above, a punishment of withholding of pension and gratuity in full permanently has been imposed on Sri K. Nageswara Rao, Joint Commissioner (CT) (Retd.) under Rule 9 of A.P. Revised Pension Rules, 1980, as he was found guilty by the Tribunal for Disciplinary Proceedings of acquisition of assets disproportionate to his known sources of legal income.

4) And whereas in the reference fourth read above, while setting aside the G.O. (Rt.) No.1643, Revenue (Vig.I) Department, dt.27.07.2006 in which punishment was imposed on Sri K. Nageswara Rao, Joint Commissioner (CT) (Retd.) the Hon'ble Andhra Pradesh Administrative Tribunal has stated that the applicant is in possession of disproportionate assets only to the tune of Rs.1,50,000/-, and hence modified the punishment imposed in the reference second read above to one of 5% cut in pension.

5) Sri K. Nageswara Rao, Joint Commissioner (CT) (Retired) in his representation vide reference sixth read above has requested the Government to re-examine his case and implement the orders of the Hon'ble A.P. Administrative Tribunal.

6) After careful examination of the matter in detail, Government hereby decide to implement the orders of the Hon'ble A.P. Administrative Tribunal issued in the reference fourth read above, and accordingly the punishment imposed against Sri K. Nageswara Rao, Joint Commissioner (CT) (Retd.) i.e., withholding of pension and gratuity in full permanently is modified to that of that of five per cent (5%) cut in pension permanently.

(p.t.o.)

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7) The Commissioner of Commercial Taxes shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri K. Nageswara Rao, Joint Commissioner (CT) (Retd.) **through** the Commissioner of Commercial Taxes, A.P., Hyderabad. The Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to:-

The Government Pleader for Ser.II, Andhra Pradesh, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

File/SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.